


**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

 R. G. WATERMAN
P.O. BOX 1967
MIDLAND, MI 48641-1967

All communications regarding this application should give the serial number, date of filing, name of applicant, and batch number.

Please direct all communications to the Attention of "OFFICE OF PUBLICATIONS" unless advised to the contrary.

 The application identified below has been examined and found allowable for issuance of Letters Patent. **PROSECUTION ON THE MERITS IS CLOSED.**

SC/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/205,637	06/10/88	022	NUTTER, N	153 04/05/89
First Named Applicant	BEYERSDORF, ROBERT S.			

 TITLE OF INVENTION **LATEX COMPOSITIONS USEFUL AS BINDERS IN COMPOSITE BOARD HAVING DIMENSIONAL STABILITY AND STRENGTH**

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 C-34,972A	524-014.000	R72	UTILITY	NO	\$560.00	07/05/89

The amount of the issue fee is specified in 37 C.F.R. 1.18. If the applicant qualified for and has filed a verified statement of small entity status in accordance with 37 C.F.R. 1.27, the issue fee is one-half the amount for non-small entities. The issue fee due printed above reflects applicant's status as of the time of mailing this notice. A verified statement of small entity status may be filed prior to or with payment of the issue fee. However, in accordance with 37 C.F.R. 1.28, failure to establish status as a small entity prior to or with payment of the issue fee precludes payment of the issue fee in the amount so established for small entities and precludes a refund of any portion thereof paid prior to establishing status as a small entity.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE as indicated above. The application shall otherwise be regarded as ABANDONED. The issue fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office. Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of the notice of allowance, the issue fee is charged to the deposit account at the time of mailing of this notice in accordance with 37 C.F.R. 1.311. If the issue fee has been so charged, it is indicated above.

In order to minimize delays in the issuance of a patent based on this application, **this Notice may have been mailed prior to completion of final processing.** The nature and/or extent of the remaining revision or processing requirements may cause slight delays of the patent. In addition, **if prosecution is to be reopened, this Notice of Allowance will be vacated and the appropriate Office action will follow in due course.** If the issue fee has already been paid and prosecution is reopened, the applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a deposit account.

In the case of each patent issuing without an assignment, the complete post office address of the inventor(s) will be printed in the patent heading and in the Official Gazette. If the inventor's address is now different from the address which appears in the application, please fill in the information in the spaces provided on PTOL-85b enclosed. If there are address changes for more than two inventors, enter the additional addresses on the reverse side of the PTOL-85b.

The appropriate spaces in the ASSIGNMENT DATA section of PTOL-85b must be completed in all cases. If it is desired to have the patent issue to an assignee, an assignment must have been previously submitted to the Patent and Trademark Office or must be submitted not later than the date of payment of the issue fee as required by 37 C.F.R. 1.334. Where there is an assignment, the assignee's name and address must be provided on the PTOL-85b to ensure its inclusion in the printed patent.

Advance orders for 10 or more printed copies of the prospective patent can be made by completing the information in Section 4 of PTOL-85b and submitting payment therewith. If use of a deposit account is being authorized for payment, PTOL-85c should also be forwarded. The order must be for at least 10 copies and must accompany the issue fee. The copies ordered will be sent only to the address specified in section 1 or 1A of PTOL 85b.

☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

IMPORTANT REMINDER

Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. See 37 CFR 1.20 (e) — (j).

PATENT AND TRADEMARK OFFICE COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/205,037	06/10/88	BEYERSDORF	R C-34,972A

R. G. WATERMAN
P.O. BOX 1967
MIDLAND, MI 48641-1967

EXAMINER	
NUTTER, N	
ART UNIT	PAPER NUMBER
153	13

DATE MAILED:

05 APR 1989

NOTICE OF ALLOWABILITY

PART I.

- ☒ This communication is responsive to 16 March 1989.
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 18-39.
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____.
- ☐ Note the attached Examiner's Amendment.
- ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☒ Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

The following is an Examiner's Statement of Reasons for Allowance: The instant claims require a specified Tg of at least 80°C for the latex binder, a specific modulus of rupture of at least 130 psi as measured by a standard test of ASTM 367-78, and that the product sags less than 0.8mm. The Declaration of John Camisa, Paper #10, compares the latex of the instant invention and one prepared according to Hen to which the highest Tg value may be obtained within the scope of that reference. The Declaration, Paper #10, shows that the sag produced by the latex prepared in accordance with Hen has a Tg of 34.6°C. Further the reference composition possesses a sag of 1.09 mm and 0.81 mm, which are not within the scope of the claims. At Table I, page 13 of the specification, comparative Example A, drawn to starch only as a binder produces an acceptable modulus of rupture but also shows to produce an unacceptable sag. While comparative Example B, prepared by a latex having an acceptable Tg value failed to produce an acceptable modulus of rupture, with a low modulus of rupture, the comparative binder would not work well under long term conditions. Thus, while a binder of Hen produces an acceptable MOR, the Tg and sag values were not acceptable. Further, while a binder having an acceptable Tg and MOR was produced, the sag was poor. The claims require the presence of all three values which cannot be extrapolated either from comparative binders or from one produced by the teachings of Hen.

Serial No. 205,037

-3-

Art Unit 153

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

NNutter:dl

(703) 557-6526

3/27/89

3/28/89

**MORTON FOELAK
PRIMARY EXAMINER
GROUP 150-ART UNIT 153**